

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Ronald Bourdon

v.

Civil No. 15-cv-138-LM

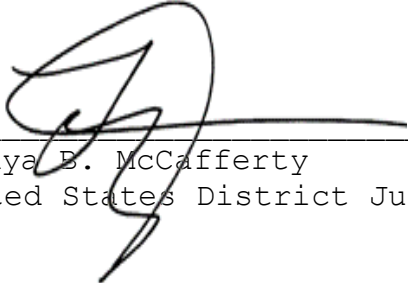
Northern NH Correctional Facility,  
Warden

O R D E R

After due consideration of the objection filed, the court approves the Report and Recommendation (R&R) of Magistrate Judge Andrea K. Johnstone dated February 13, 2017 (document no. 35), for the reasons set forth therein. Mr. Bourdon's petition is a mixed petition, which contains both exhausted and unexhausted claims. The court grants Mr. Bourdon the right to file a motion to amend his § 2254 petition to forego (or drop) each unexhausted claim (see R&R doc. no. 35 ¶ 4) within 30 days of the date of this order as set forth in paragraph 5 of the February 13, 2017 R&R. If petitioner fails to file a motion to amend his petition within that time-frame, the petition will be dismissed without prejudice.

The pending cross motions for summary judgment (document nos. 25 and 31) are hereby taken under advisement.

SO ORDERED.



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Landya B. McCafferty  
United States District Judge

Date: June 12, 2017

cc: Ronald Bourdon, pro se  
Elizabeth Woodcock, Esq.